

1 Jenny Scovis, Esq., State Bar No. 87026  
2 Kim D. Scovis, Esq., State Bar No. 182059  
3 **LAW OFFICES OF KIM D. SCOVIS**  
4 223 East Thousand Oaks Boulevard, Suite 412  
5 Thousand Oaks, California 91360  
6 Telephone: (805) 496-6413 Facsimile: (805) 379-3966

5 Attorneys for Plaintiff, MARIA LAZOS as an individual, and *THE ESTATE OF THOMAS BARRERA, By and Through its Successor in Interest, MARIA LAZOS*

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MARIA LAZOS, *THE ESTATE OF*  
*THOMAS BARRERA, By and Through its*  
*Successor in Interest, MARIA LAZOS* ) Case No. CV08-02987-RGK (SHx)  
Plaintiff, ) (consolidated w/ CV 08-05153 RGK )  
vs. )  
CITY OF OXNARD; OXNARD POLICE ) **PLAINTIFFS' OPPOSITION TO**  
DEPARTMENT; POLICE CHIEF JOHN ) **DEFENDANTS' MOTION IN LIMINE**  
CROMBACH; ANDREW SALINA, and ) **NO. 5 TO EXCLUDE EVIDENCE**  
DOES 1-10 ) AND/OR REFERENCE TO FACT THAT  
 ) OFFICER HAD ASSISTANCE OF  
 ) COUNSEL PRIOR TO GIVING  
 ) STATEMENT  
Defendants. )  
AND CONSOLIDATED ACTION ) DATE: August 11, 2009  
 ) TIME:  
 ) DEPT: "850"

22 Plaintiffs, MARIA LAZOS, TOMAS BARRERA and *THE ESTATE OF THOMAS*  
23 *BARRERA BY AND THROUGH ITS SUCCESSORS IN INTEREST MARIA LAZOS and*  
24 *TOMAS BARRERA* do hereby submit their Opposition to Defendants' Motion in Limine  
25 seeking an Order prohibiting Plaintiffs from introducing Evidence or Making Argument that  
26 Salinas consulted with Counsel prior to Statement as follows:

27 There is a very technical term for Defendant's Motion...."Chutpah". Defendants  
28 oppose Plaintiffs' Limine to Exclude any expert evidence that Salinas was suffering from

1 PTSD or other emotional sequella to explain inconsistencies in Salinas many differing  
2 statements. After refusing to agree to such an exclusion order, defendants seek their own  
3 order requesting basically the same relief that they refuse to give to Plaintiff.

4 Therefore, should the court allow Defendants to present expert or other evidence to  
5 explain why Salinas gave so many different accounts of the incidents, Plaintiffs respectfully  
6 request permission to introduce evidence that Salinas acted with the assistance and aid of  
7 counsel.

8 DATED: July 16, 2009

LAW OFFICES OF KIM D. SCOVIS

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11 JENNY SCOVIS

12 Attorneys for Plaintiff

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16 DATED: 7-16, 2009

LAW OFFICES OF GREGORY A. YATES

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19 GREGORY A. YATES

20 Attorneys for Plaintiff

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